

ESTTA Tracking number: **ESTTA275100**

Filing date: **03/30/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91184213
Party	Plaintiff Galaxy Metal Gear, Inc.
Correspondence Address	Jen-Feng Lee WorldEsquire Law Firm LLP 80 South Lake Avenue, Suite 708 Pasadena, CA 91101 UNITED STATES jflee@worldesquire.com, ktanji@worldesquire.com
Submission	Opposition/Response to Motion
Filer's Name	Kenneth Tanji, Jr.
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Signature	/Kenneth Tanji, Jr./
Date	03/30/2009
Attachments	galaxy-evd objection msj.pdf (3 pages)(3165119 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No.: 78914975

Filed: 6/22/2006

Mark: METAL GEAR

GALAXY METAL GEAR, INC.,

Opposer,

vs.

DIRECT ACCESS TECHNOLOGY, INC.

Applicant.

Opposition No.: 91184213

Action filed: May 20, 2008

EVIDENTIARY OBJECTION RE:
OPPOSER'S OPPOSITION TO
APPLICANT'S MOTION FOR SUMMARY
JUDGMENT

EVIDENTIARY OBJECTION RE: OPPOSER'S OPPOSITION TO

APPLICANT'S MOTION FOR SUMMARY JUDGMENT

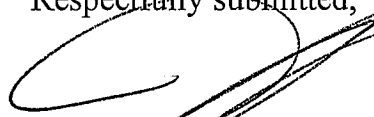
Opposer Galaxy Metal Gear, Inc., submits this evidentiary objection regarding its opposition to the Motion for Summary Judgment of Applicant Direct Access Technology, Inc., as follows.

Objection: Opposer objects to the introduction of Tony Tan's deposition testimony in the following instances:

Page 48, lines 8, to page 49, line 2: objection that the witness is not competent to testify as to questions calling for a legal conclusion.

Dated: March 30, 2009

Respectfully submitted,



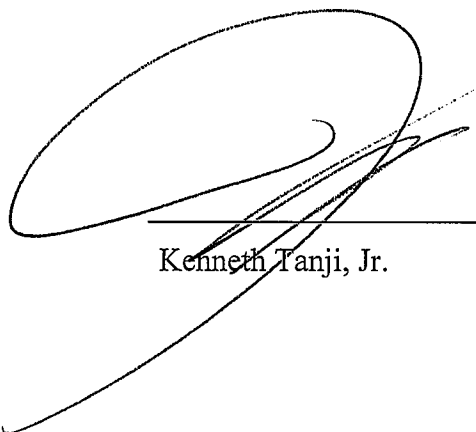
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CERTIFICATE OF SERVICE

The undersigned Attorney hereby certifies that a true copy of the foregoing EVIDENTIARY OBJECTION RE: OPPOSER'S OPPOSITION TO MOTION FOR SUMMARY JUDGMENT was served by depositing a copy of same in the United States mail, first class postage prepaid, to the following address on

MARCH 30, 2009.

Michael Olson, Esq.
Law Office of Michael C. Olson
1400 Bristol St. N.
Suite 270
Newport Beach, CA 92660

A large, stylized handwritten signature in black ink, appearing to read 'Kenneth Tanji, Jr.', is written over a horizontal line.

Kenneth Tanji, Jr.